

TIVERTON TOWN COUNCIL AGENDA

Tiverton Town Hall

343 Highland Road

Tiverton, Rhode Island 02878

Regular Meeting: Monday, March 26, 2012 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.

DATE POSTED: 03-22-2012

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Jay Lambert-President Robert D. Coulter Edward Roderick

Cecil E. Leonard-Vice President David M. Nelson

Joan B. Chabot Brett N. Pelletier

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be

removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from Regular Council Meeting March 12, 2012

Councilor Leonard Abstain – Not in Attendance

b. Approval of Minutes from Regular Council Meeting February 27, 2012

c. Approval of Minutes from Regular Council Meeting January 30, 2012

Councilor Lambert and Councilor Roderick Abstain – Not in Attendance

d. Approval of Minutes from Regular Council Meeting November 28, 2011

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Board of Canvassers (10)

b. Street Committee (4)

c. Wastewater Management Commission

d. Prevention Coalition

e. Historic Cemeteries Commission

f. Harbor & Coastal Waters Management Commission (2)

g. Economic Development Commission

h. Arts Council

i. Pocasset Cemetery Commission

j. Open Space Commission

(C.A.) 3. Correspondence – Receive and File

a. Received From Senator Bethany L. Moura, District 19 – Copy of S-2371 An Act Relating to

Property – Mortgage Foreclosure and Sale

b. Received From Town of Exeter-West Greenwich School Committee and Lincoln School Committee– Resolution to Oppose 2012-H7250 and 2012-S2532 Opposing Contract

Continuation

c. Received From Town of Exeter-West Greenwich School Committee and Lincoln School Committee– Resolution to Oppose 2012-H7617 and H7620 Opposing Binding Arbitration for Teacher and Other School Employee Contracts

d. Received From Town of Exeter-West Greenwich School Committee and Smithfield Public School– Resolution in Support of 2012-S2158 and H7863 Moving the Teacher Layoff Deadline Notice to June 1

e. Received from Westerly Town Council – Resolution Opposing H-7250 that Mandates Expired Teacher Contracts Must Continue At The Existing Terms And Conditions

f. Received From Housing Hotline – Thank You for Donation of \$2,000

(C.A.) 4. Approval of Assessor Abatements

**(C.A.) 5. Kate Michaud, Planning Board Administrative Officer –
Letter regarding Review of Major Subdivision: Preliminary Plan
Tiverton Industrial/Enterprise Park**

**(C.A.) 6. Kate Michaud, Planning Board Administrative Officer –
Letter regarding Review of Major Subdivision: Preliminary Plan
Stafford View Farm / Harkins Development**

**(C.A.) 7. Stephen Hughes, Planning Board Chairman –
Recommendation of the Planning Board for Street Acceptance of
East DeMello Drive as Platted [Plan Book 18, Page 115]
a. Recommendation of Street Committee**

**(C.A.) 8. Bruce Cox, Chair Harbor & Coastal Waters Management
Commission – Request of Letter of Support for House Bill
2012-H7081, Obstructions to Navigation Law**

**(C.A.) 9. Town Treasurer – Budget and Revenue Reports February
2012-Previously Distributed**

**(C.A.) 10. Town Council Proclamation for Tiverton Cleanup Week,
Saturday, April 14th Through Sunday, April 21, 2012**

(C.A.) 11. Town Council Acceptance of Military Proclamation

A-1 OPEN PUBLIC FORUM

Public Forum for Announcements, Comments, Questions

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

1. Small Cities Community Development Block Grant– Second Public Hearing - Community Development Block Grant Application

2. Chris Spencer, Town Planner and Dave Robert, Tax Assessor - Presentation of Tiverton's New GIS Web Interface & Instructions on Parcel ID Conversions and Lookup

C. BOARD OF LICENSING

PUBLIC HEARING – ADVERTISED

1. Black Goose Company, 2160 Main Road – Request Approval of BV (Full) Liquor License

Subject to Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

1. Arts Council Resignation – Lois Marshall

2. Request Appointment Town Representative to CRMC – Bruce Cox, Harbor Commission Chair

E - UNFINISHED BUSINESS:

1. Councilor Leonard – Update of Comprehensive Community Plan – Continued From March 12th

Council Discussion and Possible Vote on One or More Issues Including But Not Limited to

Best Process, Including Creation of a Broad Based Citizen Group to Prepare a Current

Comprehensive Community Plan for Submission to the Appropriate State Agencies on or

Before the 2014 Due Date

2. Approval of Petition for Verizon New England and Narragansett Electric for One

New Joint Pole (P.1-1) and anchor guy on Bullfrog Lane

a. DPW Director S. Berlucchi Recommendation

b. Town Stipulations Required for Approval Typed on Approved Petition

c. Town Solicitor Recommendation to Deny at This Time

3. Councilor Coulter - Property Tax Relief Measures—Various Initiatives

Continued From March 12th Meeting

- a. Distribute Interim Status Report on Pending Property Tax Relief Initiatives**
- b. Request Town Solicitor Prepare Draft Ordinance Under RIGL 44-5-8.1 (Waiver of Interest on Overdue Quarterly Tax Payments) by May 28th for Town Council to Then Consider Setting for Future Hearing**
- c. Request Town Administrator Coordinate Estimates of Revenue Impact or Burden Shifting From Various Initiatives by May 28th**
- d. Further Action on Low Income Elderly Property Tax Exemption Discussed at Last Meeting**

F – FINANCIAL BUSINESS:

G - NEW BUSINESS:

- 1. Councilor Leonard – Discussion and Possible Vote Opposing House Bill 2012-H 7866 Regarding Zoning**
- 2. Chief Blakey – Request Authority to Hire a Police Trainee in Anticipation of Police Department Vacancy**
- 3. WWMC Chairman Leroy Kendricks – WWMC Requests Permission to Submit Eight (8) Projects to the 2012 SRF Project Priority List**

H – BIDS AND REQUESTS FOR PROPOSALS

- 1. Town Administrator/Chief Blakey – Request Permission to Advertise for Bids to Provide Animal Shelter Services**
- 2. Town Administrator –Pocasset Hill Cemetery Maintenance and Operational Services Contract**
 - a. Request Authority to Rewrite Specifications for Contract Services and Re-Bid**
 - b. Request Council Authorization to Offer Extension of Existing Contract for 90 Days**

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

- 1. Follow-up Memo From Gareth Eames, Building/Zoning Official Regarding 1640 Fish Road**
- 2. Follow-up Memo From Gareth Eames, Building/Zoning Official Regarding 1974 Crandall Road**
- 3. Resignation Letter From Chris Spencer, Town Planner**

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

- 1. Brief Update on Tiger Tree/James Pelletier v Tiverton**

2. Tiverton School Committee v Town of Tiverton (2009/2010)

Supreme Court Order of March 14, 2012 Regarding Petition for Writ of Certiorari

3. Tiverton School Committee v Town of Tiverton (2010/2011)

L- TOWN CLERK ANNOUNCEMENTS

5. CLOSED EXECUTIVE SESSION

1. Litigation – 42-46-5(a)(2) - Tiverton School Committee v Town of Tiverton (2009/2010)

2. Litigation -42-46-5(a)(2) - Tiger Tree/James Pelletier v Tiverton

3. Litigation -42-46-5(a)(2) - Tiverton School Committee v Town of Tiverton (201/2011)

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority

vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”